



#4  
CUB-4 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not yet assigned  
Group : 1615  
Applicants : Jason Hill et al.  
Application No. : 09/738,742 Confirmation No. 2149  
Filed : December 15, 2000  
For : NOVEL LIPOPEPTIDES AS ANTIBACTERIAL AGENTS

New York, New York  
May 29, 2001

Hon. Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION

Sir:

This is in response to the April 4, 2001 Notice to File Missing Parts  
("Notice"), a copy of which is enclosed. A response is due on or before June 4, 2001.

Therefore, this response is timely filed.

To satisfy the requirements of the Notice, applicants enclose two (2)  
Declarations and Powers of Attorney signed by the inventors in compliance with 37 C.F.R.  
§ 1.63 and enclose a check in the amount of \$130.00 in payment of the outstanding  
surcharge.

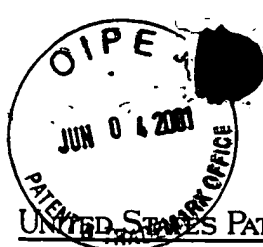
The Director is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this response is enclosed.

Respectfully submitted,

Karen E. Brown  
James F. Haley, Jr. (Reg. No. 27,794)  
Attorney for Applicants  
Karen E. Brown (Reg. No. 43,866)  
Patent Agent for Applicants  
c/o FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020  
Tel.: (212) 596-9000  
Fax.: (212) 596-9090

I Hereby Certify that this  
Correspondence is being  
Deposited with the U.S.  
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Addressed to: ASSISTANT  
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PATENTS  
WASHINGTON, D.C. 20231 on

May 29, 2001  
Claire J. Smith  
[Signature]  
Signature of Person Signing



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/738,742	12/15/2000	Jason Hill	CUB-4

CONFIRMATION NO. 2149

1473  
FISH & NEAVE  
1251 AVENUE OF THE AMERICAS  
50TH FLOOR  
NEW YORK, NY 10020-1105

## FORMALITIES LETTER



\*OC000000005932332\*

Date Mailed: 04/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

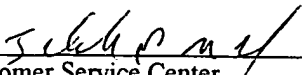
*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/05/2001 RHARIS1 00000042 09738742

01 FC:105

130.00 OP



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Seabr

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Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ a Response to Notice to File Missing Parts; ☒ a copy of the Notice to File Missing Parts; ☒ two executed Declarations and Powers of Attorney; ☐ a Preliminary Amendment; ☐ a Reply to Office Action; ☐ a Supplemental Amendment; ☐ a substitute Specification; ☐ a Declaration; ☐ a Supplemental Declaration; ☐ a Power of Attorney; ☐ an Associate Power of Attorney; ☐ formal drawings; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.

☐ A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	- 20		x \$18	
INDEPENDENT CLAIMS	- 3		x \$ 80	
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$270	

\* If less than 20, insert 20.

\*\* If less than 3, insert 3.

TOTAL \$           

[ ] A check in the amount of \_\_\_\_\_ in payment of one independent claim over 3.

[ ] A check in the amount of \$\_\_\_\_\_ in payment of the filing fee is transmitted herewith.

[X] A check in the amount of \$130.00 in payment of a late filing fee for oath or declaration as set forth in 37 C.F.R. § 1.16(e).

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

- ☐ The following extension is applicable to the Response filed herewith; ☐ \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$390.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$890.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,390.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,890.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).
- ☐ A check in the amount of ☐ \$110.00; ☐ \$390.00; ☐ \$890.00; ☐ \$1,390.00; ☐ \$1,890.00 in payment of the extension fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge the ☐ \$110.00; ☐ \$390.00; ☐ \$890.00; ☐ \$1,390.00; ☐ \$1,890.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

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WASHINGTON, D.C. 20231 on

Karen E. Brown  
James F. Haley, Jr. (Reg. No. 27,794)  
Attorney for Applicants  
Karen E. Brown (Reg. No. 43,866)  
Patent Agent for Applicants  
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Tel.: (212) 596-9000  
Fax.: (212) 596-9090

May 29, 2001  
Claire J. Saintil

Signature of Person Signing